

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
February 19, 2002  
7:00 P.M.**

**MAYOR JOSEPH M. BUTLER PRESIDING**

**PRESENT:**            **COUNCILWOMAN ROXANNE M. BURNS  
COUNCILMAN PETER L. CLOUGH  
COUNCILMAN PAUL A. SIMMONS  
MAYOR BUTLER**

**ABSENT:**            **COUNCILMAN JEFFREY M. SMITH**

**ALSO PRESENT:**   **CITY MANAGER JERRY C. HILLER  
ASSISTANT CITY MANAGER MARY M. CORRIVEAU  
CITY ATTORNEY ROBERT J. SLYE**

Assistant City Manager Corriveau presented the following reports to Council:

- 1 - Appointment to the Development Authority of the North Country Board, Thomas H. Hefferon
- 2 - Authorizing the Sale of Real Property Known As VL #82 Superior Street, Parcel No. 1-21-111.000
- 3 - Authorizing Application for Records Retention Grant, GIS Needs Assessment
- 4 - Authorizing Application for Federal Section 5311 Transit Capital Project Grant
- 5 - Approving the Site Plan for the Construction of a 6,000 Sq. Ft. Warehouse Addition at 363 Eastern Boulevard, Parcel No. 5-17-301.1
- 6 - Approving the Special Use Permit Request Submitted by Keith Caughlin of Schwerzmann & Wise, P.C., to Allow Two-Family residential Use at 111-113 and 115-117 State Place, Parcels No. 6-08-128 & 6-08-127
- 7 - Approving the Site Plan for the Expansion of the Parking Lot at 112-116 Haley Street, Parcels No. 11-14-223 and 11-14-224
- 8 - Approving the Site Plan for the Construction of a 2,040 Sq. Ft. Dunkin' Donuts – Baskin Robbins Store at 1238 Washington Street, Parcel No. 14-13-101
- 9- Approving the Zone Change Request Submitted by Barbara Willis of North Country Affordable Housing, Inc., to Change the Approved Zoning Classification of Parcel No. 1-21-111 Located in the 1100 Block of Superior Street From Residence "A" to Planned Development District No. 17
- 10- Monthly Report

**COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK**

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of February 4, 2002 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Simmons and carried with all voting in favor thereof.

### **COMMUNICATIONS**

From the North Side Improvement League, Inc. applauding the firefighters for their efforts to assist in dealing with the city's current financial situation and asking the Council to give serious consideration to the proposal

### **ABOVE PLACED ON FILE**

Minutes were received from the Library's Board of Directors meeting.

### **ABOVE PLACED ON FILE**

From the City Planning Board:

1. Recommending Council approve the zone change request submitted by Barbara Willis, Executive Director, North Country Affordable Housing, Inc. to change the zoning classification of Parcel No. 1-21-111 located in the 1100 block of Superior Street from Residence "A" District to Planned Development District No. 17.
2. Recommending Council approve the site plan submitted by Bernier Carr & Associates, P.C. on behalf of North Country Affordable Housing, Inc. for the construction of six 800 sq. ft. detached housing units located in the 1100 block of Superior Street, Parcels No. 1-23-101.01, 1-23-101.02, 1-23-101.03, 1-23-101.04 and 1-21-111 contingent upon certain requirements as outlined in the resolution being met.
3. Recommending Council approve the site plan submitted by Watertown Assembly of God, for the expansion of the parking lot at 112-116 Haley Street, Parcels No. 11-14-223 and 11-14-224 contingent upon certain requirements as outlined in the resolution being met.
4. Recommending Council approve the Special Use Permit request submitted on behalf of Watertown Savings Bank to allow two-family residential use at 111-113 and 115-117 State Place, Parcels No. 6-08-128 and 6-08-127.
5. Recommending Council approve the site plan submitted on behalf of The Stebbins Engineering & Manufacturing Co. for the construction of a 6,000 sq. ft. warehouse addition at 363 Eastern Boulevard, parcel No. 5-17-301.1
6. Recommending Council approve the site plan submitted by Michael A. Colello, President of Kneadin' Dough, Inc. for the construction of a 2,040 sq. ft. Dunkin' Donuts – Baskin Robbins Store at 1238 Washington Street, Parcel No. 14-13-101.

### **ABOVE PLACED ON FILE**

## **PRIVILEGE OF THE FLOOR**

**Robert Heaslip**, 558 Burdick Street, addressed the chair concerning the salt pile and the problems that the neighborhood is having such as dust, erosion and lower property values. He asked that the City proceed with a public nuisance lawsuit against American Rock Salt.

**Mr. Moore**, Haley Street, addressed the chair concerning the request submitted by Watertown Assembly of God Church for the extension of the parking lot. He stated that there is a drainage problem with this property and he would hope that the City takes this into consideration before approving the request.

## **RESOLUTIONS**

### **INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

BE IT RESOLVED that Thomas H. Hefferon, 456 Lachenauer Drive, Watertown, New York, is hereby appointed to the Development Authority of the North Country Board to fill the unexpired term of Scott A. Gray, which term commences immediately and expires on August 8, 2004.

### **SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

### **INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL #82 Superior Street, approximately 66' x 200' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 1-21-111.000, and

WHEREAS titles to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective

January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$1,980.00 submitted by North Country Affordable Housing, Inc., for the purchase of Parcel No. 1-21-111.000 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to North Country Affordable Housing upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the New York State Local Government Records Law (Chapter 737, Laws of 1987) requires municipalities to promote and support a Records Management Program, and

WHEREAS funding through the Local Government Records Management Improvement Fund is available to the City of Watertown to improve management of records, and

WHEREAS the City of Watertown wishes to apply for funds through the Local Government Records Management Improvement Fund to conduct a GIS Needs Assessment,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby authorizes the filing of a Records Retention Grant through the Local Government Records Management Improvement Fund and directs the Information Technology Department to prepare the grant in aid project application for Fiscal Year 2002-2003.

**SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS the City of Watertown is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for a project described as CitiBus, Bus Garage, Construction Phase, and Bus Transfer Site, and

WHEREAS the City of Watertown and the State of New York are entering into an Agreement which authorizes the undertaking of the project and payment of Federal and State shares for the project,

NOW THEREFORE BE IT RESOLVED that the City of Watertown certifies through this resolution that the estimated local share of one hundred and seventy-nine thousand dollars (\$179,000) described in the Federal Section 5311 Project Application is committed to this project from the City of Watertown's Capital Budget, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to act on behalf of the City of Watertown to sign the application and any and all agreements between the City of Watertown and the State of New York for the above named project, and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all contracts or agreements between the City of Watertown and any third party subcontractor necessary to complete the public transportation project, subject to the approval of the municipal attorney.

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

Prior to the vote on the foregoing resolution, Council discussed the American Hotel property and other options for a bus stop. Mr. Hiller explained that the property could be developed as a park, a parking lot, a bus transfer area or use for private sector development. He explained that the application is not site specific. He also explained that the Downtown Development Board had met and had made a recommendation to Council. Mr. Hiller referred to a former study indicating that the bus stop is a detriment in front of the Woolworth Building. He explained that as more buses are added to the fleet, the space becomes too small to accommodate all the buses at the same time. Council discussed time frames and delivery schedules for the buses as well as options for other sites. He suggested that Council might want to have the downtown development board give recommendations as to marketing the site, if Council decides to use an alternative site for the bus transfer.

Councilwoman Burns commented that the bus transfer relocation was recommended as the Downtown Development Board felt that it was very important for the future of the Woolworth Building. She stated that the American Hotel site makes sense especially if Stream International does come to Watertown. She also commented that she would hope that some of the transportation funds could be used to help with the façade of the building.

Mayor Butler commented that he would support the resolution. However, the first priority must be to determine if there is any interest in the development of the site by private

individuals. He suggested waiting six months to see if there was any interest. He suggested the J.B. Wise lot as an alternate site.

Councilman Simmons agreed that the six-month time frame would be adequate.

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS Tony Marra of The Stebbins Engineering & Manufacturing Company has made application for site plan approval for the construction of a 6,000 sq. ft. warehouse addition at 363 Eastern Boulevard, Parcel No. 5-17-301.1, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on February 8, 2002, and recommended that the City Council of the City of Watertown approve the site plan as submitted, and

WHEREAS the Jefferson County Planning Board reviewed the proposed site plan at its meeting held on January 29, 2002, pursuant to General Municipal Law Section 239-m and adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Tony Marra of The Stebbins Engineering & Manufacturing Company for the construction of a 6,000 sq. ft. warehouse addition at 363 Eastern Boulevard, Parcel No. 5-17-301.1, as shown on plans submitted to the City Engineer on January 15, 2002.

**SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS Keith Caughlin of Schwerzmann & Wise, P.C., has made application for a Special Use Permit on behalf of Watertown Savings Bank to allow two-family residential use at 111-113 and 115-117 State Place, Parcels No. 6-08-128 and 6-08-127, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on February 5, 2002, and recommended that the City Council of the City of Watertown approve the request as submitted, and

WHEREAS a public hearing was held on the proposed Special Use Permit on March 4, 2002, after due public notice, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, and has determined that the project, as submitted, is a Type II Action requiring no review under the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow two-family residential use constitutes a Type II Action for the purposes of SEQRA, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that a Special Use Permit is hereby granted to Keith Caughlin of Schwerzmann & Wise, P. C. on behalf of Watertown Savings Bank to allow two-family residential use at 111-113 and 115-117 State Place, Parcels No. 6-08-128 and 6-08-127.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS**

**MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, MARCH 4, 2002 AT 7:30 P.M.**

**MOTION WAS SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS Rev. John Sperrazza, Pastor of Watertown Assembly of God, has made application for site plan approval for the expansion of the parking lot at 112-116 Haley Street, Parcels No. 11-14-223 and 11-14-224, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on Tuesday, February 5, 2002, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That a grading and drainage plan be submitted to the Engineering Department for approval prior to any grading, installation of catch basins and before paving.

2. That a curb cut permit be obtained for the proposed entrance and that the curb cut to be eliminated be closed utilizing City standards.
3. That the buffer zone area be appropriately landscaped according to the Planning Board's buffer zone guidelines.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Rev. John Sperrazza, Pastor of Watertown Assembly of God, for the expansion of the parking lot at 112-116 Haley Street, Parcels No.11-14-223 and 11-14-224, as shown on plans submitted to the City Engineer on January 30, 2002, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

**SECONDED BY MAYOR JOSEPH M. BUTLER AND DEFEATED WITH ALL VOTING NAY**

Prior to the vote on the foregoing resolution, discussion was held relative to the drainage problems. Councilman Clough asked if a time frame could be established whereby the church would have to comply with paving. Councilman Simmons remarked that he doesn't feel that the statement "when money becomes available" is acceptable.

Attorney Slye explained that he didn't know if a time limit would be appropriate due to the fact that, under law, Council must act within a certain time frame or it is deemed as granted. However, paving should be contingent upon the City Engineer's approval. He explained that this could be voted down and then the applicant would have to resubmit with a drainage and paving plan.

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS Michael A. Colello, President of Kneadin' Dough, Inc., has made application for site plan approval for the construction of a 2,040 sq. ft. Dunkin' Donuts – Baskin Robbins Store at 1238 Washington Street, Parcel No. 14-13-101, and

WHEREAS the Planning Board of the City of Watertown reviewed the



site plan at its meeting held on February 8, 2002, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That a 5' grassed buffer area be added along the western property line from the northwest corner to the area of the proposed fence and along the residentially zoned properties on the north side of the property.
2. That the site lighting be installed in such a manner that the light casts downward and not onto the neighboring properties.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, and has determined that the project, as submitted, is a Type 2 Action requiring no review under the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Michael A. Colello, President of Kneadin' Dough, Inc., for the construction of a 2,040 sq. ft. Dunkin' Donuts – Baskin Robbins Store located at 1238 Washington Street, Parcel No. 14-13-101, as shown on plans submitted to the City Engineer on January 22, 2002, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

**SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA**

Mayor Butler and Councilman Simmons congratulated everyone involved with this project.

**ORDINANCES**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

BE IT ORDAINED where Barbara Willis, Executive Director of North Country Affordable Housing, Inc., has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of Parcel No. 1-21-111 located in the 1100 block of Superior Street from Residence "A" to Planned Development District No. 17, and

WHEREAS the parcel which is sought to be rezoned is as follows: Parcel No. 1-21-111, and

WHEREAS the Planning Board of the City of Watertown recommended that the City Council approve the requested zone change at its meeting held on February 5, 2002, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on March 4, 2002, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for Parcel No. 1-21-111 located in the 1100 block of Superior Street from Residence "A" to Planned Development District No. 17, for which the approved use shall be to provide low and moderate income rental housing and single family residential housing, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

**SECONDED BY COUNCILMAN PAUL A. SIMMONS**

**MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, MARCH 4, 2002 AT 7:45 P.M.**

**MOTION WAS SECONDED BY COUNCILMAN AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**COUNCIL DISCUSSED THE FOLLOWING TOPICS:**

**Environmental Analysis**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

RESOLVED that the City Manager is directed to engage the services of Converse Laboratories to proceed with an environmental analysis of the Morrison Street and Burdick Street area.

BE IT FURTHER RESOLVED that this analysis will provide the City with information on the effects of the salt pile by monitoring air, soil and water for salt levels as well as monitoring the air for corrosiveness.

BE IT FURTHER RESOLVED that the testing will be conducted over a six-month time period.

**SECONDED BY COUNCILWOMAN BURNS AND CARRIED WITH ALL VOTING YEAS**

(Rules waived by motion of Councilman Clough, seconded by Councilman Simmons and carried with all voting in favor thereof.)

Prior to the vote on the foregoing resolution, Council discussed the need to have scientific evidence to support any claim for a public nuisance lawsuit.

**American Hotel Site**

Councilman Simmons asked what direction Mr. Hiller is looking for from the Council.

Mr. Hiller questioned if the Council has a second site in mind and what parameters the Council would be looking at for the sale of the property. He asked if Council wants the Downtown Development Board or JCJDC to market the property. He asked what type of structure they would like to see on the property – one story, brick veneer, etc.

Mayor Butler commented that both the Downtown Development Board and JCJDC need to be involved in this.

Councilman Clough commented that JCJDC needs to be the lead agency due to the time constraints.

Mr. Hiller advised Council that he has asked Mrs. Norfolk to give a courtesy appraisal of the property at this time.

Councilwoman Burns advised Council that they must keep in the mind the public good that public transportation gives to the City.

Councilman Clough remarked that while this is true, putting property on the tax rolls has a value to the taxpayer as well.

Mr. Hiller will meet with staff and then put together a memo for Council.

**Penny Lot**

Councilman Clough commented that this might be a negotiated item with the County for a number of parking spaces once the court complex goes through.

Mayor Butler commented that if the County takes over the property, they would use it for their own parking. The City would use it for two-hour parking for people doing business downtown.

Mr. Hiller commented that prior to the opening of the bids for the court complex, there was some discussion about this lot. Since the bids were opened, there has been no further discussion. He also advised Council that prior interest in the American Hotel site included being able to use the parking lot at the Penny's site.

### **County/City Meeting**

Councilman Simmons thanked Mrs. Adsit for always being at the Council meetings. He asked that the four city representatives on the County Legislature be invited to attend the last work session in March for an open discussion. The four legislators will be contacted.

### **State/William/Academy Street Area**

Councilman Simmons asked if there was any way to direct Police to do more in this area, as it has become a very troubled part of the City.

### **Strategic Planning Session**

The next four-hour strategic planning session will be held on Saturday, March 2<sup>nd</sup> at 8:00 a.m.

### **ADJOURNMENT**

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:27 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF**

---

Donna M. Dutton, City Clerk